



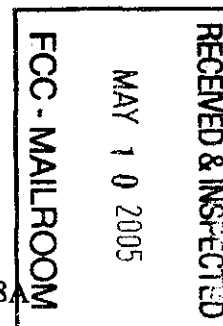
Federal Communications Commission
Washington, D.C. 20554

Imaging Center
C4C203

May 2, 2005 DOCKET FILE COPY ORIGINAL

Paul B. Christensen, Esq.
Law Offices of Paul B. Christensen, P.A.
3749 Southern Hills Drive
Jacksonville, Florida 32225

Re: Petition for Rule Making
Midland, MI – Channel 298A



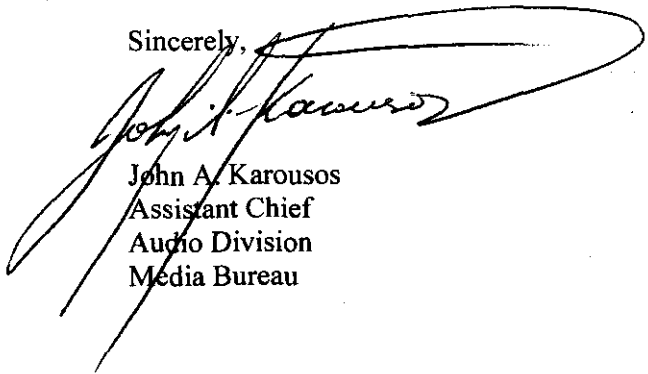
Dear Mr. Christensen:

I am writing in response to the Petition for Rule Making ("Petition") that you filed requesting the allotment of Channel 298A at Midland, Michigan, as that community's third local service.

Your allotment proposal is unacceptable. Your proposal to allot Channel 298A at Midland is mutually exclusive with a proposal for the allotment of Channel 297C3 at Ubly, Michigan, currently pending in MMB Docket No. 01-230. Your petition was filed after the cut-off deadline in MMB Docket No. 01-230, and is therefore untimely. In allocation proceedings, rulemaking proposals are deemed defective if they are in conflict with, or contingent upon, a cut-off proposal in another pending proceeding. *See Milford, Utah*, 19 FCC Rcd 10,335 (MB 2004); *see also Amboy, California*, 19 FCC Rcd 13,405 (MB 2004), and cases cited therein.

Based on the above, we are returning your petition for rulemaking. You may resubmit the petition, provided that you make a showing that a fully-spaced transmitter site is available that provides city grade coverage to the entire community.

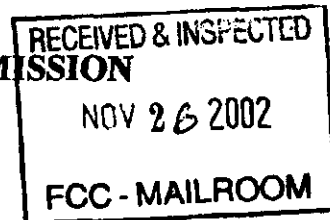
Sincerely,


John A. Karousos
Assistant Chief
Audio Division
Media Bureau

Enclosure

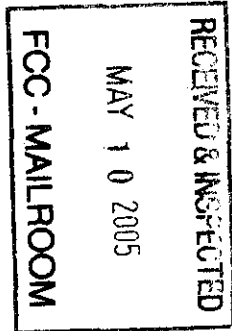
DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554



In the Matter of)
)
Amendment of §73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)
(Midland, Michigan))

MB Docket No. _____



To: Assistant Chief, Audio Division
Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Paul B. Christensen (hereinafter "Petitioner") respectfully petitions the Federal Communications Commission to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel Number 298, ~~Class~~ A at Midland, Michigan.

Proposal by Petitioner:

<u>City</u>	<u>Channel Numbers</u>	
	<u>present</u>	<u>Proposed</u>
Midland, Michigan	227C2, 259C	227C2, 259C, 298A

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 298A to Midland, Michigan, as that community's third local aural FM transmission service. Midland, Michigan is located in Midland County and has a population of 41,685.¹

The City of Midland is incorporated within the State of Michigan. The City of Midland supports its own city government, police department, fire department, ~~post~~ office, school district, local churches, a daily newspaper, and a full range of local businesses.

¹ Census 2000, United States Department of Commerce, U.S. Census Bureau.

No. of Copies rec'd 014
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02-302

Attached hereto and made part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, it appears that the requested channel could be allotted to Midland, Michigan in compliance with the minimum distance separation requirements of §73.207(b) of the Commission's rules, subject to a site-restriction~~as~~ specified in the Technical Exhibit.²

Reference Coordinates are:

43-42-49 North Latitude (NLAT)
84-13-21 West Longitude (WLONG)

Should this petition be granted, and Channel 298A be allotted to Midland, Michigan, Petitioner will apply for Channel 298A and after it is authorized, will promptly construct the new facility.

In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing Petition for Rule Making and the attached Technical Exhibit, and that both are true and correct to the best of my knowledge and belief.

WHEREFORE, it is respectfully requested ~~that the~~ instant petition be granted and that the FM Table of Allotments, §73.202(b) be amended ~~as~~ requested herein.

Respectfully submitted,



Paul B. Christensen, Esq.
LAW OFFICES of PAUL B. CHRISTENSEN, P.A.
3749 Southern Hills Drive
Jacksonville, Florida 32225
Office: (904) 379-7802
Facsimile: (904) 379-7803
attorney@broadcast.net

November 19, 2002

² See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992)

TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM – CHANNEL 298A
MIDLAND, MICHIGAN

PAUL B. CHRISTENSEN
PETITIONER

INTRODUCTION

This Technical Exhibit supports the petition by Paul B. Christensen (hereinafter “Petitioner”), who seeks to amend the FM Table of Allotments, §73.202(b) of the Federal Communications Commission’s Rules, by allocating FM Channel 298A to Midland, Michigan as that community’s third local FM aural service.

ALLOCATION

A comprehensive engineering study was performed, utilizing the current FCC/NTIS database to determine the feasibility of allocating FM Channel 298A to Midland, Michigan, subject to the §73.207(b) minimum distance requirements of the Commission’s Rules. The study incorporates all applicable co-channel, adjacent-channel, and intermediate-frequency separations. The results of the study indicate that FM Channel 298A may be allocated to Midland in full compliance with §73.207(b), provided that the transmission site is located approximately ten (10) kilometers north of the community’s geographical center.

Attached hereto as Exhibit A is an “area-to-locate” study for FM Channel 298A. The Exhibit depicts the required protection contours from all relevant co-channel, adjacent

channel, and intermediate-frequency-limited stations and allocations. As indicated, area exists immediately to the north of the community boundary in which the proposed facilities may be located.

Assuming a maximum effective radiated power of six (6) Kilowatts and the installation of an omni-directional antenna placed at one hundred (100) meters above average terrain, the proposed transmission facilities could be placed as far as fourteen (14) kilometers to the north-northeast of the community's geographical center while maintaining the requisite city-grade (70 dBu) coverage contour over the city, in full compliance with §73.315(a) and (b). Attached hereto and presented as Exhibit B is a graphical representation of a city-grade service contour from the Petitioner's geographical reference coordinates, located within the permissible area-to-locate geographical area.

CONCLUSION

As demonstrated herein, the proposed amendment to the FM Table of Allotments can be achieved in compliance with §73.207(b), and §73.315(a) and (b) and will not create a short-spacing condition to any existing station, pending application, or vacant allotment; nor will the amendment result in the reallocation of any station, pending application or vacant allotment.

EXHIBIT A

73.207 Analysis

Job: Midland.fmj

Master Database:

Lat: N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:750000

Channel 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100 km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/02 2:06:57 PM

Key:

Short

Clear

FCC - MAILROOM

MAY 10 2005

RECEIVED & INSPECTED



EXHIBIT B

Contour Analysis

Job Midland.fmj

Master Database:

Lat: N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:250000

Channel: 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100 km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/02 1:40:35 PM

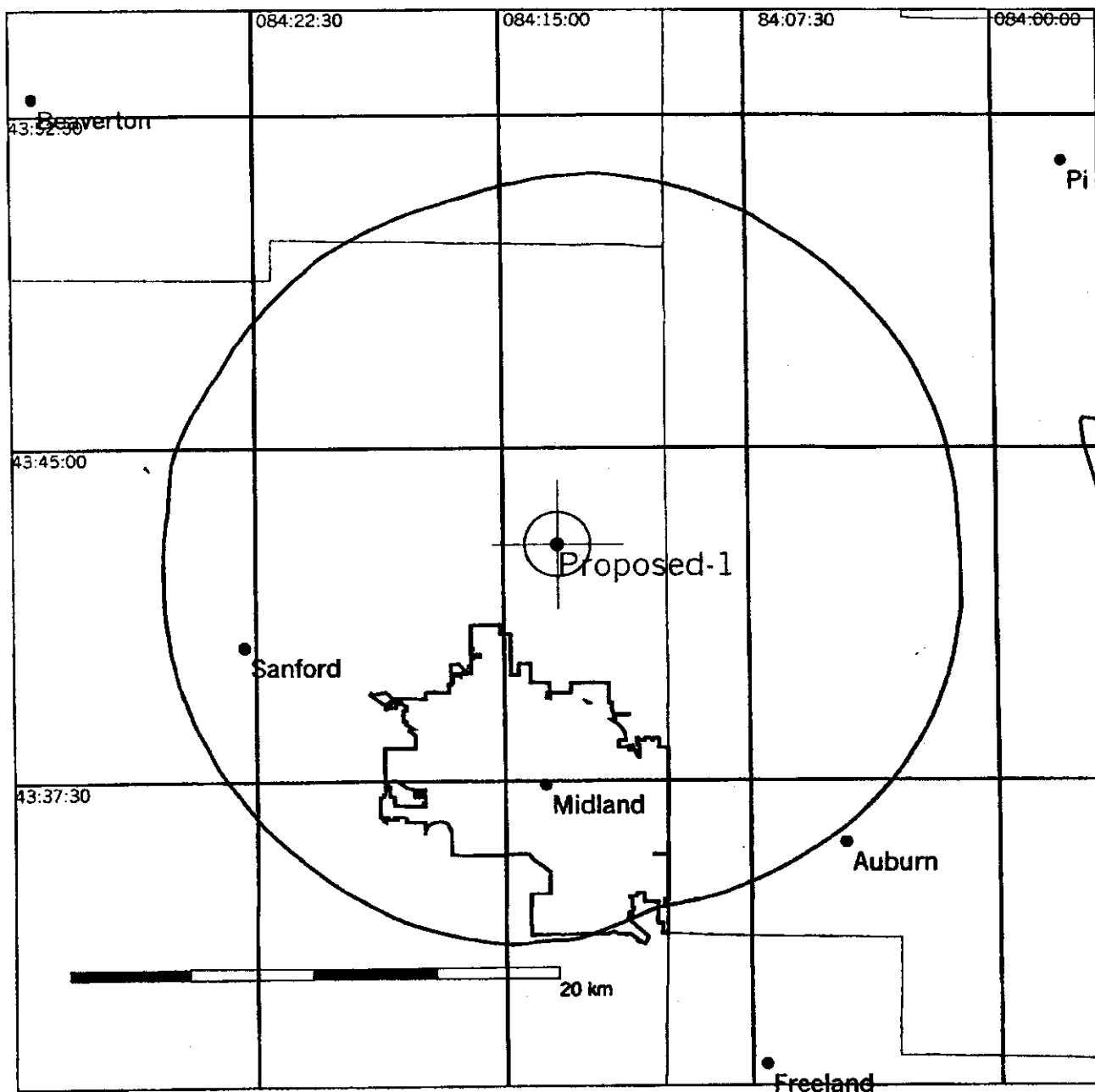
Key:

Service
Protected

1st Adj

2nd/3rd Adj

RECEIVED & INSPECTED
MAY 10 2005
FCC - MAILROOM



Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED & INSPECTED
MAY 10 2005
FCC - MAILROOM

In the Matter of)
)
Amendment of §73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)
(Midland, Michigan))

MB Docket No. _____

To: Assistant Chief, Audio Division
 Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Paul B. Christensen (hereinafter "Petitioner") respectfully petitions the Federal Communications Commission to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel Number 298, Class A at Midland, Michigan.

Proposal by Petitioner:

<u>City</u>	<u>Channel Numbers</u>	<u>Present</u>	<u>Proposed</u>
Midland, Michigan	227C2, 259C		227C2, 259C, 298A

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 298A to Midland, Michigan, as that community's third local aural FM transmission service. Midland, Michigan is located in Midland County and has a population of 41,685.¹

The City of Midland is incorporated within the State of Michigan. The City of Midland supports its own city government, police department, fire department, post office, school district, local churches, a daily newspaper, and a full range of local businesses.

¹ Census 2000, United States Department of Commerce, U.S. Census Bureau.

Attached hereto and made part of this petition is a Technical Exhibit in support of the requested allotment. ~~Based~~ on the information contained therein, it appears that the requested channel could be allotted to Midland, Michigan in compliance with the minimum distance separation requirements of §73.207(b) of the Commission's rules, subject to a site-restriction as specified in the Technical Exhibit.²

Reference Coordinates are:

43-42-49 North Latitude (NLAT)
84-13-21 West Longitude (WLONG)

Should this petition be granted, and Channel 298A be allotted to Midland, Michigan, Petitioner will apply for Channel 298A and after it is authorized, will promptly construct the new facility.

In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing Petition for Rule Making and the attached Technical Exhibit, and that both are true and correct to the best of my knowledge and belief.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, §73.202(b) be amended as requested herein.

Respectfully submitted,



Paul B. Christensen, Esq.
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Jacksonville, Florida 32225
Office: (904) 379-7802
Facsimile: (904) 379-7803
attorney@broadcast.net

November 19, 2002

² See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992)

TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM – CHANNEL 298A
MIDLAND, MICHIGAN

PAUL B. CHRISTENSEN
PETITIONER

INTRODUCTION

This Technical Exhibit supports the petition by Paul B. Christensen (hereinafter “Petitioner”), who seeks to amend the FM Table of Allotments, §73.202(b) of the Federal Communications Commission’s Rules, by allocating FM Channel 298A to Midland, Michigan as that community’s third local FM aural service.

ALLOCATION

A comprehensive engineering study ~~was~~ performed, utilizing the current FCC/NTIS database to determine the feasibility of allocating FM Channel 298A to Midland, Michigan, subject to the §73.207(b) minimum distance requirements of the Commission’s Rules. The study incorporates all applicable co-channel, adjacent-channel, and intermediate-frequency separations. The results of the study indicate that FM Channel 298A may be allocated to Midland in full compliance with §73.207(b), provided that the transmission site is located approximately ten (10) kilometers north of the community’s geographical center.

Attached hereto as Exhibit A is an “area-to-locate” study for FM Channel 298A. The Exhibit depicts the required protection contours from all relevant co-channel, adjacent

channel, and intermediate-frequency-limited stations and allocations. As indicated, area exists immediately to the north of the community boundary in which the proposed facilities may be located.

Assuming a maximum effective radiated power of six (6) Kilowatts and the installation of an omni-directional antenna placed at one hundred (100) meters above average terrain, the proposed transmission facilities could be placed as far as fourteen (14) kilometers to the north-northeast of the community's geographical center while maintaining the requisite city-grade (70 dBu) coverage contour over the city, in full compliance with §73.315(a) and (b). Attached hereto and presented as Exhibit B is a graphical representation of a city-grade service contour from the Petitioner's geographical reference coordinates, located within the permissible area-to-locate geographical area.

CONCLUSION

As demonstrated herein, the proposed amendment to the FM Table of Allotments can be achieved in compliance with §73.207(b), and §73.315(a) and (b) and will not create a short-spacing condition to any existing station, pending application, or vacant allotment; nor will the amendment result in the reallocation of any station, pending application or vacant allotment.

EXHIBIT A

73.207 Analysis

Job: Midland.fmj

Master Database:

Lat: N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:750000

Channel 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100 km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/02 2:06:57 PM

Key:

Short

Clear



EXHIBIT B

Contour Analysis

Job Midland.fmj

Master Database:

Lat N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:250000

Channel: 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100 km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/02 1:40:35 PM

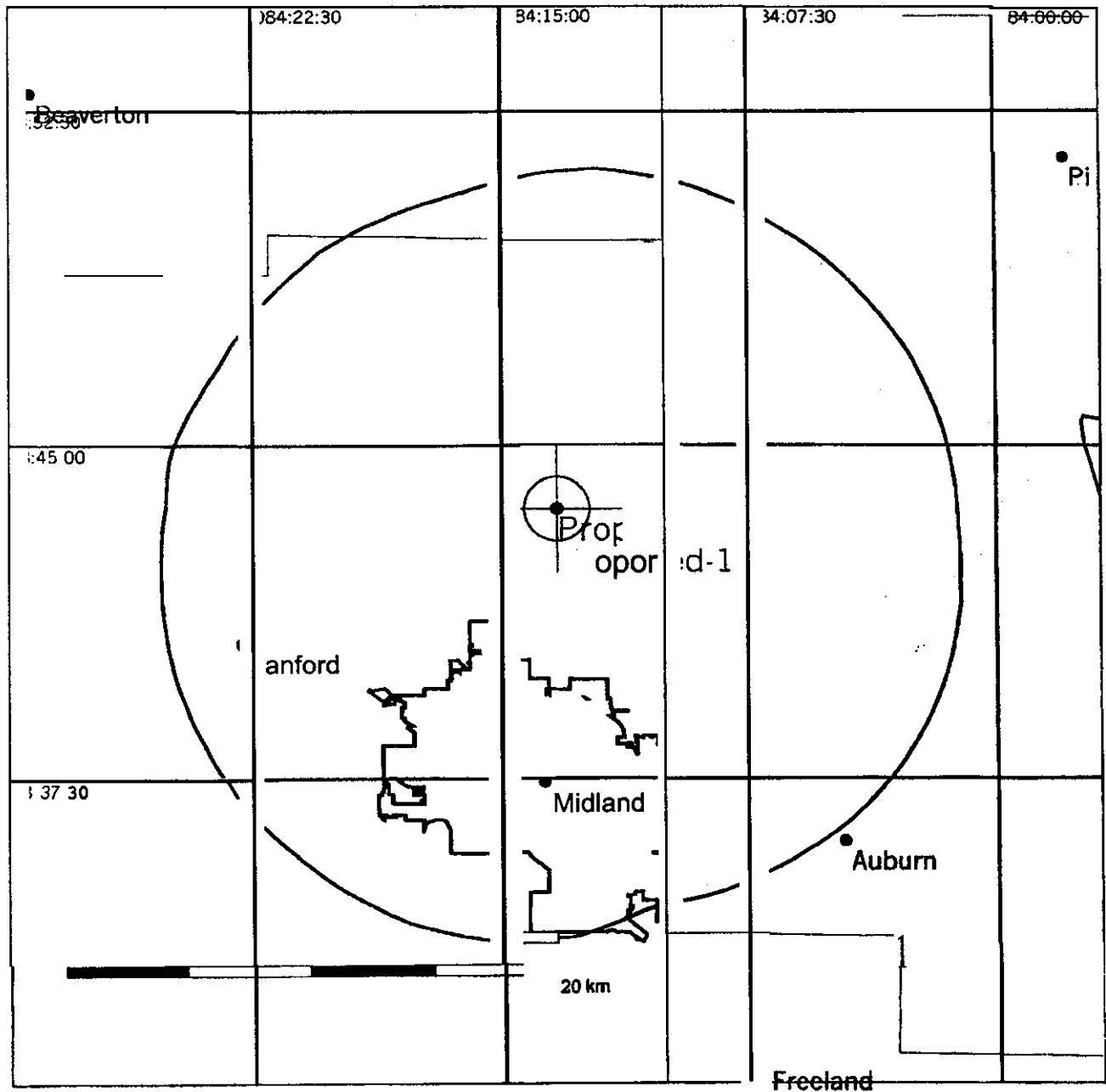
Key:

Service

Protected

1st Adj

2nd/3rd Adj



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of §73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)
(Midland, Michigan))

MB Docket No. _____

To: Assistant Chief, Audio Division
 Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Paul B. Christensen (hereinafter "Petitioner") respectfully petitions the Federal Communications Commission to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel Number 298, Class A at Midland, Michigan.

Proposal by Petitioner:

<u>City</u>	<u>Channel Numbers</u>
	<u>present</u> <u>Proposed</u>
Midland, Michigan	227C2, 259C 227C2, 259C, 298A

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 298A to Midland, Michigan, as that community's third local aural FM transmission service. Midland, Michigan is located in Midland County and has a population of 41,685.¹

The City of Midland is incorporated within the State of Michigan. The City of Midland supports its own city government, police department, fire department, post office, school district, local churches, a daily newspaper, and a full range of local businesses.

¹ census 2000, united states Department of Commerce, U.S. Census Bureau.

Attached hereto and made part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, it appears that the requested channel could be allotted to Midland, Michigan in compliance with the minimum distance separation requirements of §73.207(b) of the Commission's rules, subject to a site-restriction as specified in the Technical Exhibit.²

Reference Coordinates are:

43-42-49 North Latitude (NLAT)
84-13-21 West Longitude (WLONG)

Should this petition be granted, and Channel 298A be allotted to Midland, Michigan, Petitioner will apply for Channel 298A and after it is authorized, will promptly construct the new facility.

In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing Petition for Rule Making and the attached Technical Exhibit, and that both are true and correct to the best of my knowledge and belief.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, §73.202(b) be amended as requested herein.

Respectfully submitted,



Paul B. Christensen, Esq.
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Jacksonville, Florida 32225
Office: (904) 379-7802
Facsimile: (904) 379-7803
attorney@broadcast.net

November 19, 2002

² See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992)

TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM – CHANNEL 298A
MIDLAND, MICHIGAN

PAUL B. CHRISTENSEN
PETITIONER

INTRODUCTION

This Technical Exhibit supports the petition by Paul B. Christensen (hereinafter “Petitioner”), who seeks to amend the FM Table of Allotments, §73.202(b) of the Federal Communications Commission’s Rules, by allocating FM Channel 298A to Midland, Michigan as that community’s third local FM aural service.

ALLOCATION

A comprehensive engineering study was performed, utilizing the current FCC/NTIS database to determine the feasibility of allocating FM Channel 298A to Midland, Michigan, subject to the §73.207(b) minimum distance requirements of the Commission’s Rules. The study incorporates all applicable co-channel, adjacent-channel, and intermediate-frequency separations. The results of the study indicate that FM Channel 298A may be allocated to Midland in full compliance with §73.207(b), provided that the transmission site is located approximately ten (10) kilometers north of the community’s geographical center.

Attached hereto as Exhibit A is an “area-to-locate” study for FM Channel 298A. The Exhibit depicts the required protection contours from all relevant co-channel, adjacent

channel, and intermediate-frequency-limited stations and allocations. As indicated, area exists immediately to the north of the community boundary in which the proposed facilities may be located.

Assuming a maximum effective radiated power of six (6) Kilowatts and the installation of an omni-directional antenna placed at one hundred (100) meters above average terrain, the proposed transmission facilities could be placed as far as fourteen (14) kilometers to the north-northeast of the community's geographical center while maintaining the requisite city-grade (70 dBu) coverage contour over the city, in full compliance with §73.315(a) and (b). Attached hereto and presented as Exhibit B is a graphical representation of a city-grade service contour from the Petitioner's geographical reference coordinates, located within the permissible area-to-locate geographical area.

CONCLUSION

As demonstrated herein, the proposed amendment to the FM Table of Allotments can be achieved in compliance with §73.207(b), and §73.315(a) and (b) and will not create a short-spacing condition to any existing station, pending application, or vacant allotment; nor will the amendment result in the reallocation of any station, pending application or vacant allotment.

EXHIBIT A

73.207 Analysis

Job: Midland.fmj

Master Database:

Lat: N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:750000

Channel 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/022:06:57 PM

Key:

Short

Clear



EXHIBIT B

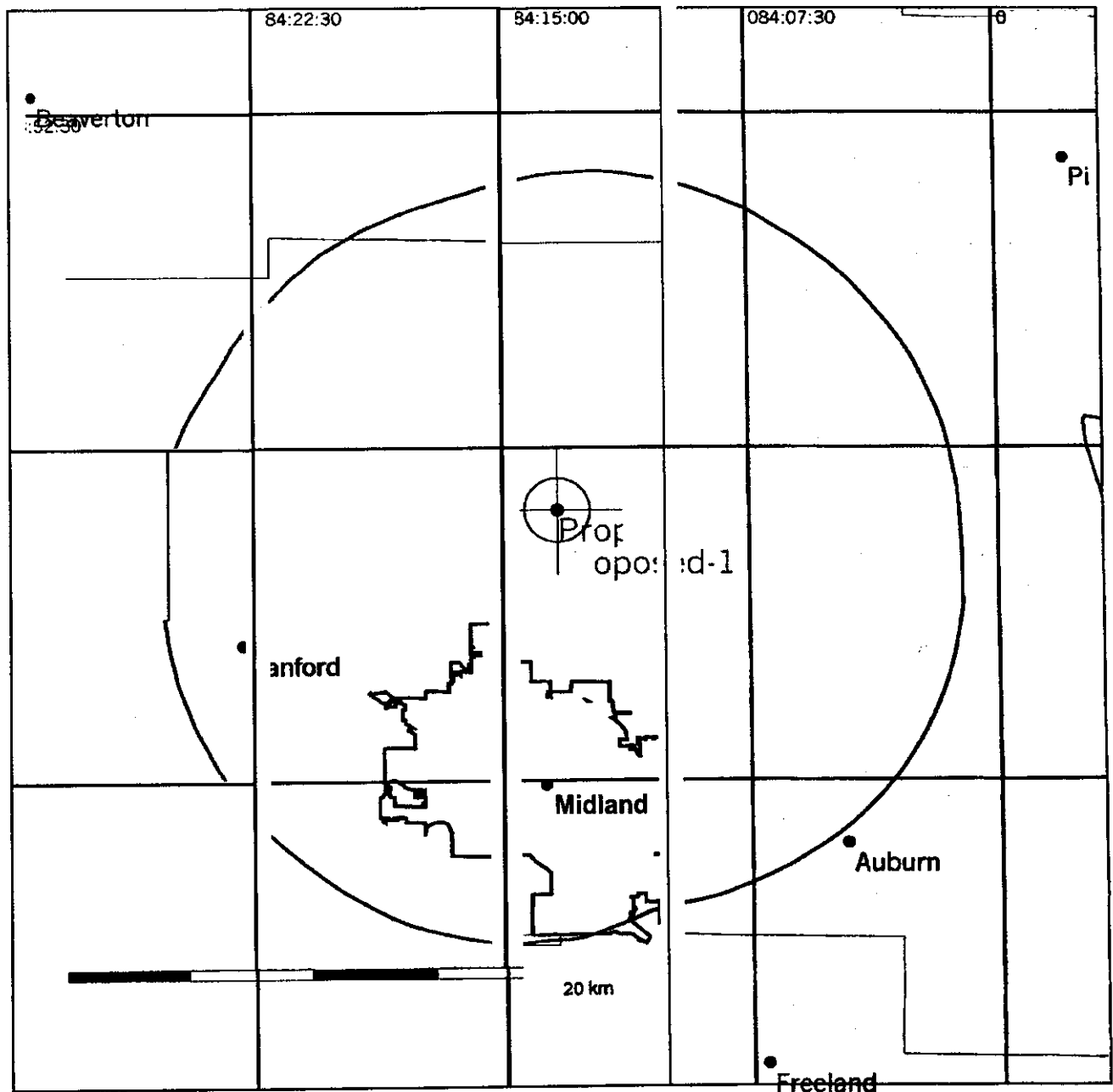
Contour Analysis

Job: Midland.fmj
Master Database:
Lat: N43:42:49 Lon: W084:13:21 NAD-83
Scale: 1:250000
Channel: 298 Class: A
Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved
Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6
Range: 100 km, Clearance: -0.5km
Comments: No Comments
Description:

Date: 11/18/02 1:40:35 PM

Key:
Service
Protected

1st Adj
2nd/3rd Adj



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of §73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)
(Midland, Michigan))

MB Docket No. _____

To: Assistant Chief, Audio Division
 Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Paul B. Christensen (hereinafter "Petitioner") respectfully petitions the Federal Communications Commission to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel Number 298, Class A ~~at~~ Midland, Michigan.

Proposal by Petitioner:

<u>City</u>	<u>present</u>	<u>Channel Numbers</u> <u>Proposed</u>
Midland, Michigan	227C2, 259C	227C2, 259C, 298A

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 298A to Midland, Michigan, ~~as~~ that community's third local aural FM transmission service. Midland, Michigan is located in Midland County and has a population of 41,685.¹

The City of Midland is incorporated within the State of Michigan. The City of Midland supports ~~its~~ own city government, police department, fire department, ~~post~~ office, school district, local churches, a daily newspaper, and a full range of local businesses.

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Reference Coordinates are:

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Should this petition be granted, and Channel 298A be allotted to Midland, Michigan, Petitioner will apply for Channel 298A and after it is authorized, will promptly construct the new facility.

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WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, §73.202(b) be amended as requested herein.

Respectfully submitted,



Paul B. Christensen, Esq.

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Facsimile: (904) 379-7803
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November 19, 2002

² See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992)

TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM – CHANNEL 298A
MIDLAND, MICHIGAN

PAUL B. CHRISTENSEN
PETITIONER

INTRODUCTION

This Technical Exhibit supports the petition by Paul B. Christensen (hereinafter “Petitioner”), who seeks to amend the FM Table of Allotments, §73.202(b) of the Federal Communications Commission’s Rules, by allocating FM Channel 298A to Midland, Michigan as that community’s third local FM aural service.

ALLOCATION

A comprehensive engineering study was performed, utilizing the current FCC/NTIS database to determine the feasibility of allocating FM Channel 298A to Midland, Michigan, subject to the §73.207(b) minimum distance requirements of the Commission’s Rules. The study incorporates all applicable co-channel, adjacent-channel, and intermediate-frequency separations. The results of the study indicate that FM Channel 298A may be allocated to Midland in full compliance with §73.207(b), provided that the transmission site is located approximately ten (10) kilometers north of the community’s geographical center.

Attached hereto as Exhibit A is an “area-to-locate” study for FM Channel 298A. The Exhibit depicts the required protection contours from all relevant co-channel, adjacent

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CONCLUSION

As demonstrated herein, the proposed amendment to the FM Table of Allotments can be achieved in compliance with §73.207(b), and §73.315(a) and (b) and will not create a short-spacing condition to any existing station, pending application, or vacant allotment; nor will the amendment result in the reallocation of any station, pending application or vacant allotment.

EXHIBIT A

73.207 Analysis

Job: Midland.fmj

Master Database:

Lat N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:750000

Channel: 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/022:06:57 PM

Key:

Short

Clear

RECEIVED & INSPECTED
MAY 10 2005
FCC - MAILROOM



EXHIBIT B

Contour Analysis

Job Midland.fmj

Master Database:

Lat: N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:250000

Channel: 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100 km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/02 1:40:35 PM

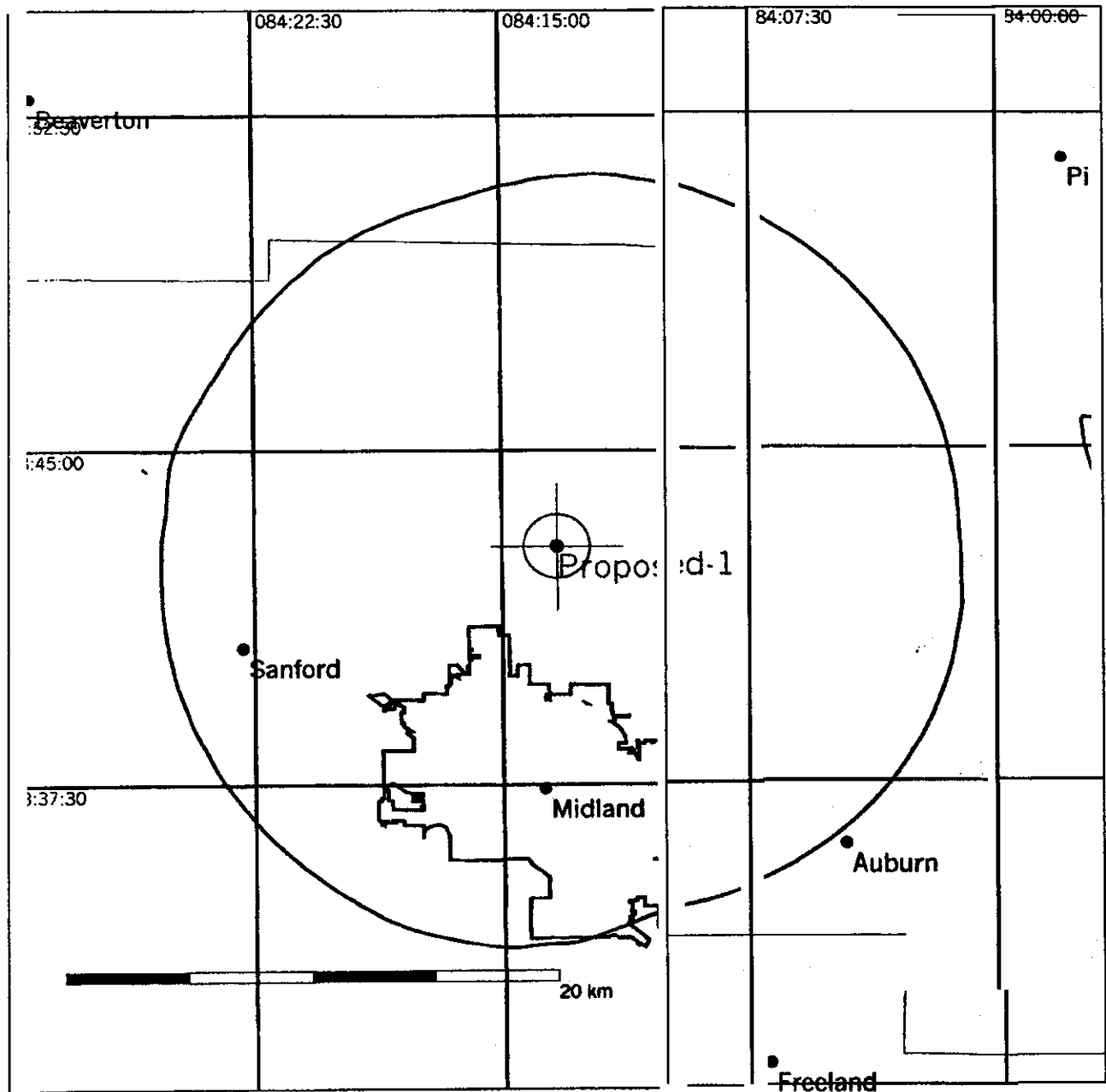
Key:

Service

Protected

1st Adj

2nd/3rd Adj



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of §73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)
(Midland, Michigan))

MB Docket No. _____

To: Assistant Chief, Audio Division
 Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Paul B. Christensen (hereinafter "Petitioner") respectfully petitions the Federal Communications Commission to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel Number 298, Class A at Midland, Michigan.

Proposal by Petitioner:

<u>City</u>	<u>present</u>	<u>Channel Numbers</u> <u>Proposed</u>
Midland, Michigan	227C2, 259C	227C2, 259C, 298A

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 298A to Midland, Michigan, as that community's third local aural FM transmission service. Midland, Michigan is located in Midland County and has a population of 41,685.¹

The City of Midland is incorporated within the State of Michigan. The City of Midland supports its own city government, police department, fire department, ~~post~~ office, school district, local churches, a daily newspaper, and a full range of local businesses.

¹ Census 2000, ~~United States Department~~ of Commerce, U.S. Census Bureau.

Attached hereto and made part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, it appears that the requested channel could be allotted to Midland, Michigan in compliance with the minimum distance separation requirements of §73.207(b) of the Commission's rules, subject to a site-restriction as specified in the Technical Exhibit.²

Reference Coordinates are:

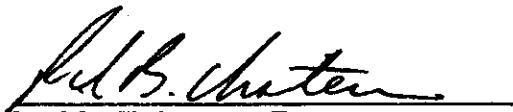
43-42-49 North Latitude (NLAT)
84-13-21 West Longitude (WLONG)

Should this petition be granted, and Channel 298A be allotted to Midland, Michigan, Petitioner will apply for Channel 298A and after it is authorized, will promptly construct the new facility.

In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing Petition for Rule Making and the attached Technical Exhibit, and that both are true and correct to the best of my knowledge and belief.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, §73.202(b) be amended as requested herein.

Respectfully submitted,



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November 19, 2002

² See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992)

TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM – CHANNEL 298A
MIDLAND, MICHIGAN

PAUL B. CHRISTENSEN
PETITIONER

INTRODUCTION

This Technical Exhibit supports the petition by Paul B. Christensen (hereinafter “Petitioner”), who seeks to amend the FM Table of Allotments, §73.202(b) of the Federal Communications Commission’s Rules, by allocating FM Channel 298A to Midland, Michigan as that community’s third local FM aural service.

ALLOCATION

A comprehensive engineering study was performed, utilizing the current FCC/NTIS database to determine the feasibility of allocating FM Channel 298A to Midland, Michigan, subject to the §73.207(b) minimum distance requirements of the Commission’s Rules. The study incorporates all applicable co-channel, adjacent-channel, and intermediate-frequency separations. The results of the study indicate that FM Channel 298A may be allocated to Midland in full compliance with §73.207(b), provided that the transmission site is located approximately ten (10) kilometers north of the community’s geographical center.

Attached hereto as Exhibit A is an “area-to-locate” study for FM Channel 298A. The Exhibit depicts the required protection contours from all relevant co-channel, adjacent

channel, and intermediate-frequency-limited stations and allocations. As indicated, area exists immediately to the north of the community boundary in which the proposed facilities may be located.

Assuming a maximum effective radiated power of six (6) Kilowatts and the installation of an omni-directional antenna placed at one hundred (100) meters above average terrain, the proposed transmission facilities could be placed as far as fourteen (14) kilometers to the north-northeast of the community's geographical center while maintaining the requisite city-grade (70 dBu) coverage contour over the city, in full compliance with §73.315(a) and (b). Attached hereto and presented as Exhibit B is a graphical representation of a city-grade service contour from the Petitioner's geographical reference coordinates, located within the permissible area-to-locate geographical area.

CONCLUSION

As demonstrated herein, the proposed amendment to the FM Table of Allotments can be achieved in compliance with §73.207(b), and §73.315(a) and (b) and will not create a short-spacing condition to any existing station, pending application, or vacant allotment; nor will the amendment result in the reallocation of any station, pending application or vacant allotment.

EXHIBIT A

73.207 Analysis

Job Midland.fmi

Master Database

Lat: N43:42:49 Lon: W084:13:21 NAD-83

Scale: 1:750000

Channel: 298 Class: A

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6.

Range: 100 km, Clearance: -0.5km

Comments: No Comments

Description:

Date: 11/18/022:06:57 PM

Key:

Short

Clear

